

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gerhard Tuymer
Serial No. : 10/507,095
Filing Date : September 3, 2004
Examiner : Michael A. Band
Group Art Unit : 1795
For : Vacuum Plasma Generator
Confirmation No. : 1923

**Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

- ☐ Under 37 C.F.R. 1.129(a), or
(First/Second Submission after Final Rejection)
- ☐ Under 37 C.F.R. 1.97(b), or
(Within any one of the following time periods: three (3) months of filing national application, other than a CPA, or date of entry of the national stage in an international application; or before the mailing date of a first official action on the merits in a non-provisional application, including a CPA; or a Request for Continued Examination (RCE))
- ☒ Under 37 C.F.R. 1.97(c), together with either:
- ☐ Statement under 37 C.F.R. 1.97(e), as checked below, or
- ☒ Fee of \$180.00 under 37 C.F.R. 1.17(p), or
(After the 37 C.F.R. 1.97(b) time period, but before Final Office Action or Notice of Allowance, whichever issues first)
- ☐ Under 37 C.F.R. 1.97(d), together with:
- ☐ Statement under 37 C.F.R. 1.97(e), as checked below, and
- ☐ Fee of \$180.00 under 37 C.F.R. 1.17(p), or
(Filed after Final Office Action or Notice of Allowance, whichever issues first, but on or before payment of Issue Fee)
- ☐ Under 37 C.F.R. 1.97 (i):

Applicant respectfully requests that the I.D.S. and cited reference(s) be placed in the application file

wrapper (Filed after payment of Issue Fee).

Statement Under 37 C.F.R. 1.97(e):

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three (3) months prior to the filing of this Information Disclosure Statement.

Statement Under 37 C.F.R. 1.704 (d) - (Patent Term Adjustment):

(Applies to original applications, other than designs, filed on or after May 29, 2000)

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty (30) days prior to the filing of the Information Disclosure Statement.

Enclosed Herewith is Form PTO-1449, and:

- ☒ Copies of the cited U.S. references are not enclosed pursuant to the waiver of the requirements under 37 CFR 1.98 (a)(2)(i).
- ☐ Copies of the cited references are enclosed, except those entered in prior application, U.S. Serial No. _____, to which priority under 35 U.S.C. 120 is claimed (The earlier application contains copies of the cited references).
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☐ The "concise explanation" requirement (non-English reference) for Reference(s) _____ under 37 C.F.R. 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet;
- ☐ the explanation provided in the specification;
- ☐ submission of the enclosed International Search Report; or
- ☐ the enclosed English language Abstract.
- ☐ Applicant requests that the following pending applications be considered:
- U.S. Patent/Application No. _____, filed/issued _____
- U.S. Patent/Application No. _____, filed/issued _____
- U.S. Patent/Application No. _____, filed/issued _____

Examiner

Date

- ☐ A copy of each above-cited application, including the current claims, is enclosed.

- [] A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application Serial No. _____, to which priority under 35 U.S.C. 120 is claimed.

The Examiner is respectfully requested to return a copy of the above list of pending applications indicating which references were considered with the next Official Action.

Further, it is respectfully requested that the information disclosed herein be made of record in this application.

Method of Payment:

- [X] No fee is required.
- [] A check for the fee noted above is enclosed.
- [] Please charge our deposit account No. 14-1431.
- [X] The Commissioner is authorized to charge any deficiency in payment of fees and credit any overpayment to our Deposit Account No. 14-1431.

Respectfully submitted,
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Dated: March 10, 2009

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Encs.